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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,499	12/28/2001	David J. Long	50277-1768	3702
29989	7590	09/20/2005	EXAMINER	
HICKMAN PALERMO TRUONG & BECKER, LLP			YIGDALL, MICHAEL J	
2055 GATEWAY PLACE			ART UNIT	
SUITE 550			PAPER NUMBER	
SAN JOSE, CA 95110			2192	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/040,499

Applicant(s)

LONG ET AL.

Examiner

Michael J. Yigdall

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-16,38,40,41 and 43-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-16,38,40,41 and 43-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/9/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's amendment and response filed on June 28, 2005 has been fully considered. Claims 1-3, 5-16, 38, 40, 41 and 43-53 remain pending.

Response to Amendment

2. The rejection of claims 1-3, 6-16, 22-25 and 28-37 under 35 U.S.C. 101 is withdrawn in view of Applicant's amendment.
3. The rejection of claim 58 under 35 U.S.C. 112, second paragraph, is withdrawn in view of Applicant's amendment.

Response to Arguments

4. Applicant's arguments with respect to the Guillen reference have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 38, 40, 41 and 43-53 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claims are not limited to tangible embodiments. In view of Applicant's disclosure (e.g., specification, page 31, lines 3-16), the recited "computer-readable medium" is not limited to tangible embodiments and is instead defined as including both tangible embodiments (e.g.,

“hard disk”) and intangible embodiments (e.g., “carrier wave”). As such, the claims are not limited to statutory subject matter and are therefore non-statutory.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-3, 5-15, 38, 41 and 43-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,701,485 to Guillen et al. (art of record, “Guillen”) in view of U.S. Pat. No. 6,769,124 to Schoening et al. (art now made of record, “Schoening”).

With respect to claim 1 (currently amended), Guillen discloses a method of specifying properties for instances that belong to classes (see, for example, FIGS. 1 and 3, and column 2, lines 15-28), comprising the steps of:

associating with an instance of a class (see, for example, object “B2” 18 and class “B” 14 in FIG. 1) a per-instance method that is not a method in said class (see, for example, method “W” 42 in FIG. 1);

storing a policy object that defines the per-instance method and an implementation of said per-instance method (see, for example, FIG. 3 and column 7, lines 7-20, which shows an instance-level dispatch table or a policy object that defines per-instance methods and implementations);

Although Guillen discloses storing the policy object in memory (see, for example, FIG. 4), and creating entries within the policy object (see, for example, FIG. 5), Guillen does not expressly disclose the step of storing the policy object within a database and does not expressly disclose the limitations:

wherein said policy object is an instance of a policy object class; and

wherein a mapping maps said policy object to one or more rows of a database table.

However, Schoening teaches storing objects in a database (see, for example, column 26, lines 57-67), wherein the objects are instances of a class (see, for example, column 27, lines 61-66), and wherein a mapping maps the objects to one or more rows of a database table (see, for example, column 29, lines 12-17 and 23-31).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Schoening into the method of Guillen, so as to enable persistent storage of the policy objects (see, for example, Schoening, column 3, lines 32-45).

With respect to claim 2 (currently amended), the rejection of claim 1 is incorporated, and Guillen further discloses the limitation wherein said per-instance method is not associated with a second instance of said class (see, for example, FIG. 1, which shows that method “W” 42 is not associated with object “B1” 16).

With respect to claim 3 (currently amended), the rejection of claim 1 is incorporated, and Guillen further discloses the limitation wherein said step of associating is performed by establishing a policy bundle that includes one or more policy objects and associating said

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instance with said policy bundle (see, for example, column 2, lines 29-43, which shows a policy bundle of dispatch tables or policy objects that is associated with the object instance).

With respect to claim 5 (currently amended), the rejection of claim 1 is incorporated, and Schoening further discloses the step of:

maintaining an object relational mapping system that indicates a correlation between said instance and data stored in said database (see, for example, column 31, lines 32-50, which shows maintaining an object relational mapping system that correlates the object instance and the data in the database).

With respect to claim 6 (currently amended), the rejection of claim 1 is incorporated, and Guillen further discloses the limitation wherein said step of associating includes establishing a pointer that belongs to said instance to point to a policy bundle that is associated with one or more policy objects (see, for example, object "B2" 18 in FIG. 1 and column 4, lines 9-23, which shows the references or pointers).

With respect to claim 7 (currently amended), the rejection of claim 6 is incorporated, and Guillen further discloses the limitation wherein associating said policy bundle with said one or more policy objects includes establishing a pointer that belongs to said policy bundle to point to said one or more policy objects (see, for example, dispatch tables or policy objects 20 and 22 in FIG. 1 and column 4, lines 9-23, which shows the references or pointers).

With respect to claim 8 (currently amended), the rejection of claim 6 is incorporated, and Guillen further discloses the limitation wherein associating said policy bundle with said one or

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more policy objects includes establishing a reference that belongs to said policy bundle to reference said one or more policy objects (see, for example, dispatch tables or policy objects 20 and 22 in FIG. 1 and column 4, lines 9-23, which shows the references).

With respect to claim 9 (currently amended), the rejection of claim 1 is incorporated, and Guillen further discloses the limitation wherein said step of associating includes establishing a reference that belongs to said instance that references a policy bundle that is associated with one or more policy objects (see, for example, object "B2" 18 in FIG. 1 and column 4, lines 9-23, which shows the references).

With respect to claim 10 (currently amended), the rejection of claim 9 is incorporated, and Guillen further discloses the limitation wherein associating said policy bundle with said one or more policy objects includes establishing a pointer that belongs to said policy bundle to point to said one or more policy objects (see, for example, dispatch tables or policy objects 20 and 22 in FIG. 1 and column 4, lines 9-23, which shows the references or pointers).

With respect to claim 11 (currently amended), the rejection of claim 9 is incorporated, and Guillen further discloses the limitation wherein associating said policy bundle with said one or more policy objects includes establishing a reference that belongs to said policy bundle to reference said one or more policy objects (see, for example, dispatch tables or policy objects 20 and 22 in FIG. 1 and column 4, lines 9-23, which shows the references).

With respect to claim 12 (original), the rejection of claim 1 is incorporated, and Guillen and Schoening further disclose the limitation wherein said step of associating includes using a

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hash table for a policy bundle and said policy bundle is associated with said instance (see, for example, Guillen, column 2, lines 29-43, which shows a policy bundle of dispatch tables or policy objects that is associated with the object instance, and Schoening, column 32, line 62 to column 33, line 6, which further shows using a “HashMap” or hash table).

With respect to claim 13 (currently amended), the rejection of claim 12 is incorporated, and Guillen and Schoening further disclose the limitation wherein said step of associating includes placing an entry in said hash table (see, for example, Schoening, column 33, lines 21-27) and further comprising the computer-implemented steps of:

(a) associating a key and a value with said entry (see, for example, Schoening, column 33, lines 2-6);

(b) using a method name as said key (see, for example, Schoening, column 33, lines 7-10, which shows using a column name as the key, and column 29, lines 37-46, which shows that the column name is a field name of the object, and see, for example, Guillen, column 7, lines 7-20, which shows that the fields of the dispatch table or policy object are methods); and

(c) using an association between said policy bundle and said policy object as said value (see, for example, Schoening, column 29, lines 23-31, which shows using an object identifier or association as the value).

With respect to claim 14 (currently amended), the rejection of claim 13 is incorporated, and Schoening further discloses the limitation wherein said value is a pointer to said policy object (see, for example, column 29, lines 23-31, which shows that the value is an object identifier, and lines 44-46, which shows that the object identifier is a reference or pointer).

With respect to claim 15 (currently amended), the rejection of claim 13 is incorporated, and Schoening further discloses the limitation wherein said value is a reference to said policy object (see, for example, column 29, lines 23-31, which shows that the value is an object identifier, and lines 44-46, which shows that the object identifier is a reference or pointer).

With respect to claim 38 (currently amended), the claim recites a computer-readable medium that corresponds to the method of claim 1 (see the rejection of claim 1 above).

With respect to claim 41 (currently amended), the rejection of claim 38 is incorporated, and the claim recites further limitations that correspond to the limitations of claim 3 (see the rejection of claim 3 above).

With respect to claim 43 (currently amended), the rejection of claim 38 is incorporated, and the claim recites further limitations that correspond to the limitations of claim 5 (see the rejection of claim 5 above).

With respect to claim 44 (currently amended), the rejection of claim 38 is incorporated, and the claim recites further limitations that correspond to the limitations of claim 6 (see the rejection of claim 6 above).

With respect to claim 45 (currently amended), the rejection of claim 44 is incorporated, and the claim recites further limitations that correspond to the limitations of claim 7 (see the rejection of claim 7 above).

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With respect to claim 46 (currently amended), the rejection of claim 44 is incorporated, and the claim recites further limitations that correspond to the limitations of claim 8 (see the rejection of claim 8 above).

With respect to claim 47 (currently amended), the rejection of claim 38 is incorporated, and the claim recites further limitations that correspond to the limitations of claim 9 (see the rejection of claim 9 above).

With respect to claim 48 (currently amended), the rejection of claim 47 is incorporated, and the claim recites further limitations that correspond to the limitations of claim 10 (see the rejection of claim 10 above).

With respect to claim 49 (currently amended), the rejection of claim 47 is incorporated, and the claim recites further limitations that correspond to the limitations of claim 11 (see the rejection of claim 11 above).

With respect to claim 50 (original), the rejection of claim 38 is incorporated, and the claim recites further limitations that correspond to the limitations of claim 12 (see the rejection of claim 12 above).

With respect to claim 51 (currently amended), the rejection of claim 50 is incorporated, and the claim recites further limitations that correspond to the limitations of claim 13 (see the rejection of claim 13 above).

With respect to claim 52 (currently amended), the rejection of claim 51 is incorporated, and the claim recites further limitations that correspond to the limitations of claim 14 (see the rejection of claim 14 above).

With respect to claim 53 (currently amended), the rejection of claim 51 is incorporated, and the claim recites further limitations that correspond to the limitations of claim 15 (see the rejection of claim 15 above).

9. Claims 16 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guillen in view of Schoening, as applied to claims 1 and 38 above, respectively, and further in view of U.S. Pat. No. 6,336,216 to Curtis et al. (art of record, "Curtis").

With respect to claim 16 (original), the rejection of claim 1 is incorporated, and although Guillen discloses associating an instance of a class with a per-instance method that is not a method of the class (see, for example, object "B2" 18, class "B" 14 and method "W" 42 in FIG. 1), Guillen and Schoening do not expressly disclose the limitation wherein said class is a file type and said instance is a file of said file type in a file system wherein the step of associating includes associating said file of said file type with said per-instance method that is not a method of said file type.

However, Curtis teaches a class that is a file type and an instance of the class that is a file in a file system (see, for example, column 7, line 45 to column 8, line 5, which shows a "FileInputStream" class and an instance "fi" that is the file "OrigInstall.class" in the file system).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Curtis into the method of Guillen and Schoening, so as

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to enable storing data files in objects and extracting the data files from the objects with methods that are defined in the objects (see, for example, Curtis, column 2, lines 19-37).

With respect to claim 40 (original), the rejection of claim 38 is incorporated, and the claim recites further limitations that correspond to the limitations of claim 16 (see the rejection of claim 16 above).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. U.S. Pat. No. 6,044,224 to Radia et al. discloses a mechanism for dynamically associating a service dependent representation with objects at run time.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Yigdall whose telephone number is (571) 272-3707.

The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MY

Michael J. Yigdall
Examiner
Art Unit 2192

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